THE COMPANY LAWYER

Volume 8 1987
Index

This volume should be cited (1987) 8 Co Law

General Editor BARRY A K RIDER
Publishing Editor JULIAN HARRIS

'The Company Lawyer' is published six times a year by **Longman Group UK Ltd**
21–27 Lamb's Conduit Street, London WC1N 3NJ,
Telephone 01–242 2548
in association with the **British Institute of Securities Laws**

e would like to thank Jordan & Sons Limited, Company Registration Agents and Publishers, for the use of *Gore-Browne on Companies* for the purposes of reference.

© Longman Group UK Ltd 1988

SUBJECT INDEX

(England and Wales unless otherwise indicated)

Accounting
professional liability 287–8

Arbitration
operation of 1979 Act 206–12

Australia
agents, liability for, codification 236
disqualification orders, cases 243–50
liquidator's discretions 234–6
National Companies and Securities Commission,
disclosure of documents by 91–2
new scheme 51–61
price discrimination 137–9
receiver's powers and previous contracts 232–3
shares,
acquisition, employee benefit scheme 90–1
allotment, preference 233
defaulting substantial holder 89–90
rights of holders in memorandum 233
sale, time of essence 233–4
self-purchase, exceptions 88–9

Banking
Act 1987 174–5
bill of exchange, drawing by agents 29–30
carrying on business in UK 231
duties of bank 217–18
letter of credit, documents under 175–6
negligence 218
'trust money' in winding up 28–9
undue influence 218

China
business related legislation, agenda for 186–7

Company Law
avoidance of transactions 179
capital,
allowances, corporate rights to 121–2
applications for reduction 123–4
charges,
debts 271–2
fixed, on future book debts 3–11
registration 287
City Code, false markets and enforcement 132–3
competitive deregulation 176–8
crystallisation 30–1, 75–8
debentures, banks' 30–1
deregulation 74–5
directors,
disqualification orders 243–50
duties, excluding 31–3
liability, excluding 31–3
disincorporation, consultative document 191, 287
Guinness and Distillers 129–31, 218–19
House of Fraser, control 122, 178
management 176–8
self regulation 96

Company Law — *contd*
shares —
freezing orders, 'defrosting' 123
scope 219–20
insider trading, detection 162–6
purchase of own, assistance 99–103, 270–1
value determination 66–72
small companies, deregulation 48
subsidiary, parent's liability for debts 124–8
Takeover Panel 73–4
ultra vires,
financial assistance 270–1
reform of rule 11–16, 103–9
unfairness 33–4
voting rights 16–20, 26–7

Crime
bribes, recovery 220–3
Criminal Justice Bill 240

Debts
charge-backs 262–9

Directors
disqualification of 96, 287

EEC
insider dealing legislation, proposals 223–4
insurance services 212–16
migration of companies 136

Employment
associated employer 78–80
fairness, procedural 179–82
sex discrimination, territory 80–1
takeovers and trade union consultation 225–8

France
voting rights 20–2, 27

Fraud
control 111–12
insider trading, detection 162–6

Hong Kong
bankruptcy law proposals 39
counterfeit goods 36–7
insider dealings 39, 187–8
taxation 187

Insolvency
Act 1986 61–5
administration orders 273–7
guarantors 82–3
property dispositions after petition 228–9
retention of title clauses 277–80
set-offs 262–9
trusts 280–1

Intellectual property
copyright, joint owners 229

Investment
conduct of business 154–61
marketing, new regime 143–53

Italy
stock market, reform 40–4
voting rights 22–6, 27

Judicial review
commercial matters 167–73

Nigeria
rule in *Foss* v *Harbottle* 92–5

Partnerships
insolvent, Order 195–205
property, wrongful possession 133–5
winding up 195–205

Scotland
Romalpa clauses 44–5, 139

Securities regulation
anomalies in Panel's regulation 182–5
cycles 286–7
Financial Services Ombudsman 83–4
judicial review considered 115–20
regulators, regulation of 34–7
Securities and Investments Board,
assurance charges investigation 140
fee structure proposals 47–8
paper about broker funds 140
rules 96, 240

Shareholders
minority,
allotment of shares, improper 131–2
rights 128–9
unfair prejudice, anticipated 272–3

Singapore
company law reform 188–90

Spain
exchange link 140
foreign banks regulations 236–7
public debt, account entries 283–5

Switzerland
crime proposals, money laundering 285–6

Taxation
advantage, meaning 282–3
carrying on business in UK 231
migration of companies 136
Ramsay doctrine 135–6
stamp duty reserve tax, charges to 84–5
trading stock, meaning 230
update 86

USA
security certificates, immobilization 251–61
takeovers 237–9
tender offers, discriminatory 45–7

CASE DIGEST

(United Kingdom unless otherwise indicated)

A – G *v* Great Eastern Rly Co (1880) 5 App Cas 473 103, 271
A – G (*ex rel* McWhirter) *v* IBA [1973] QB 629 37
Aden Refinery *v* Ugland Management [1986] 2 Lloyd's Rep 336 210
Agra and Masterman's Bank, *Ex p* (1871) 6 Ch App 206 236
Air Canada *v* Secretary of State for Trade [1983] 2 AC 394 164, 165
Allen *v* Gold Reefs of West Africa Ltd [1900] 1 Ch 656 18
Alsager *v* Currie (1844) 12 M & W 751 262, 265
Anderson *v* Sutherland (1895) 13 TLR 163 286
Anns *v* LB of Merton [1977] 2 All ER 492 82
Antaios Compania *v* Salen AB; The Antaios [1985] AC 191 210–12
Arab African Energy *v* Olieprodukten Nederland [1983] 2 Lloyd's Rep 419 211
Arctic Engineering Ltd, *Re* [1985] BCLC 209 245, 247, 248
Armagh Shoes Ltd, *Re* (1982) NI 59; [1984] BCLC 405 3, 7–10, 30, 62
Ashbury Railway Carriage & Iron Co Ltd *v* Riche (1875) LR 7 HL 653 103, 105, 106
Ashpurton Estates Ltd, *Re* [1982] 3 All ER 665 229
Asphaltic Wood Pavement Co Ltd, *Re*, Lee and Chapman's Case (1885) 30 ChD 216 267
Astley *v* Gurney (1869) LR 4 CP 714 263
Atkinson *v* Elliott (1797) 7 TR 378 265

BTP Tioxide *v* Pioneer Shipping; The Nema [1981] 2 Lloyd's Rep 239; [1980] 2 Ll Rep 339 209–12
BTR plc *v* IRC [1986] STC 433 86
BVS *v* Kerman Shipping; The Kerman [1982] Lloyd's Rep 62 210
Bailey *v* BP Oil (Kent Refinery) Ltd [1980] IRLR 287 180
Bailey *v* Ford (1843) 13 Sim 495 195
Baillie *v* Oriental Telephone & Electric Co Ltd [1915] 1 Ch 503 93, 95
Bainbrigge *v* Browne (1881) 18 ChD 188 218
Baker *v* Lloyds Bank Ltd [1920] 2 KB 322 262, 263
Bamford *v* Bamford [1970] Ch 212 17, 94, 132
Bank of Liverpool & Martins Bank *v* Holland (1926) 43 TLR 29 266
Banking Insurance & Finance Union *v* Barclays Bank plc (1987) *The Times*, 21 March 225–7
Banque Belge pour L'Estranger *v* Hambrock [1921] 1 KB 321 29
Banque de L'Indochine et de Suez *v* Rayner (JH) (Mincing Lane) [1983] 1 All ER 468 175
Barclays Bank *v* Quistclose Investments Ltd [1970] AC 567 281
Barclays Bank *v* TOSG Trust Fund Ltd [1984] BCLC 1 262, 263, 265
Barclays Bank *v* Willowbrook International Ltd (1987) *The Times*, 5 February 271–2
Barclays Bank Trust Co Ltd *v* Bluff [1982] Ch 172 135
Barker (George) (Transport) Ltd *v* Eynon [1974] WLR 462 232, 233
Barnett (Augustus) & Son Ltd, *Re* (1985) *The Times*, 7 December 127
Barratt Developments (Bradford) Ltd *v* Union of Construction, Allied Trades & Technicians [1978] ICR 319 81
Barry Artist Ltd, *Re* [1985] BCLC 283 74
Bayliss *v* Gregory [1986] STC 22 135–6
Beauforte (Jon) (London) Ltd, *Re* [1953] Ch 131 105
Belcher *v* Lloyd (1834) 10 Bing 310 265
Bell *v* Lever Bros Ltd [1932] AC 161 155
Bellador Silk Ltd, *Re* [1965] 1 All ER 667 273
Belmont Finance Corp *v* Williams Furniture (No 2) [1980] 1 All ER 393 185
Bennett *v* White [1910] 2 KB 643 265
Bird *v* IRC [1987] STC 168 282
Bird Precision Bellows Ltd, *Re* [1984] 1 Ch 419 67, 70, 71
Bittleston *v* Timmis (1845) 1 CB 389 265
Blagden, *Ex p* (1815) 19 ves Jon 465 263
Boardman *v* Phipps [1967] 2 AC 46 220–3
Bolivinter Oil SA *v* Chase Manhattan Bank [1984] 1 All ER 351 175
Bondina Ltd *v* Rollaway Shower Blinds Ltd [1986] 1 WLR 517 29, 30
Borland's Trustee *v* Steel Bros & Co Ltd [1901] 1 Ch 279 66
Bott (E) Ltd *v* Price [1986] STI 781 86
Bower *v* Foreign & Colonial Gas Co Ltd (1874) 22 WR 740 269
Brady *v* Brady, unreported 270
Brightlife Ltd, *Re* [1987] 2 WLR 197; [1986] 3 All ER 673 7, 11, 30–1, 63, 75–8
Brighton Club & Norfolk Hotel Co Ltd, *Re* (1865) 35 Beav 204 199
British Homes Stores *v* Burchell [1978] IRLR 379 181
British Labour Pump *v* Byrne [1979] IRLR 94 179–82
British South Africa Co *v* De Beers Consolidated Mines Ltd [1910] 1 Ch 354 106
Bromley LBC *v* GLC [1983] 1 AC 768 37
Brown *v* Cork [1985] BCLC 363 264
Bulk Oil (Zug) *v* Sun International [1984] 1 WLR 147 211
Burgess *v* Purchase & Sons Ltd [1983] BCLR 176 67
Burland *v* Earle [1902] AC 83 17, 19, 21
Bushell *v* Faith [1970] 2 WLR 272 84

CCSU *v* Minister for the Civil Service [1985] 1 AC 374 171
Cameron *v* Finlayson (Hector) & Co Ltd (1967) 1 KIR 182 227
Carreras Rothmans *v* Freeman Matthews Treasure Ltd [1984] 3 WLR 1016 62
Carruth *v* ICI Ltd [1937] AC 707 16, 19
Carter, *Re* (1885) 55 LJch 230 267
Cassel *v* Inglis [1916] 2 Ch 211 37
Chandroutie *v* Gajadhar [1987] 2 WLR 1 133–5
Chapman *v* Smethurst [1909] 1 KB 927 29, 30
Charge Card Services Ltd, *Re* [1986] 3 All ER 289 262, 263, 265, 268, 269
Charnley Davies Business Services Ltd, *Re* (1987) 3 BCC 408 273–6
Charterbridge Corp *v* Lloyds Bank Ltd [1970] Ch 62 126
Christonette International Ltd, *Re* [1982] 1 WLR 1245 77
City Equitable & Fire Insurance Co (No 2), *Re* [1930] 2 Ch 293 268
City Life Assurance Co Ltd, *Re*, Grandfield's Case [1926] Ch 191 262, 267, 268, 269
Civica Investments Ltd, *Re* [1983] BCLC 456 245, 246, 247
Clark *v* Cort (1840) Cr & Ph 154 268
Clemens *v* Clemens Bros Ltd [1976] 2 All ER 268 17, 18, 19
Clough Mill *v* Martin [1985] 1 WLR 111 280
Coldunell Ltd *v* Gallon [1986] QB 1184 218
Collins *v* Jones (1830) 10 B&C 777 265
Colombian Fireproofing Ltd, *Re* [1910] 2 Ch 120 64
Commercial Bank of Australia Ltd *v* Wilson [1893] AC 181 268
Commissioner of Inland Revenue *v* Challenge Corp Ltd [1986] STC 548 86, 122
Company, A, *Re* [1980] Ch 138 244
Company, A, *Re* [1983] BCLC 151 273
Company, A, *Re* [1983] Ch 178 273
Company, A, *Re* [1985] BCLC 80 273
Company, A, *Re* BCLC 333 125, 126
Company, A, *Re*, No 008699 of 1985, 1986 PCC 296 273
Company, A, *Re*, No 00477 of 1986, [1986] BCLC 376 33, 34, 273
Company, A, *Re* [1987] BCLC 82 131
Co-operative Centrale Raiffeisen-Boerenleen Bank BA *v* Sumitome Bank Ltd (1987) *Financial Times*, 16 January 175
Coregrange Ltd, *Re* [1984] BCLC 453 229
Cornforth *v* Rivett (1814) 2 M&S 510 265
Cotman *v* Brougham [1918] AC 514 104
Cotter *v* National Union of Seamen [1929] 2 Ch 58 93, 95
Craven *v* White [1985] STC 531 135–6
Craven-Ellis *v* Canons Ltd [1936] 2 All ER 1066 243
Crossman, *Re* and Paulin, *Re* (1936) 15 CTC 94 66
Cullerne *v* London & Suburban General Permanent BS (1890) 25 QBD 485 104
Curtis (DH) (Builder) Ltd, *Re* [1978] Ch 162 65
Curwen *v* Milburn (1889) 42 CLD 424 267
Cushla Ltd, *Re* [1979] 3 All ER 415 65
Czarnikow *v* Roth Schmidt & Co [1922] 2 KB 478 206, 208

DHN Food Distributors Ltd *v* Tower Hamlets LBC [1976] 1 WLR 852 126
Daintrey, *Re* [1900] 1 QB 546 263
Daniels *v* Daniels [1978] 2 WLR 73 95
Davey *v* Williamson [1898] 2 Ch 198 76
Davies *v* Wilkinson (1828) 4 Bing 573 268
Dawson Print Group Ltd *v* Princo Ltd, unreported 248
Debtor, A, *Re* (No 66 of 1955) [1956] 2 All ER 94, *affirmed* [1956] 3 All ER 225 264
Dennis *v* Charnwood [1983] 1 QB 409 82
Devis (W) & Sons Ltd *v* Burchell [1980] ICR 303 180
Dickson *v* Evans (1749) 6 TR 57 265
Dimbleby & Sons Ltd *v* NUJ [1984] 1 All ER 751 80, 228
Dixon *v* Cass (1830) 1 B&Ad 343 265
Doloret *v* Rothschild (1824) 1 Sim & St 590 234
Downer Enterprises Ltd, *Re* [1974] 1 WLR 1460 264
Durham Bros *v* Robertson [1898] 1 QB 765 266

EVTR Ltd, *Re*, Gilbert *v* Barber (1987) *The Times*, 24 June 280, 281
Earl *v* Slater & Wheeler (Airlyne) Ltd [1972] ICR 508 180
East Pant Du United Lead Mining Co *v* Merryweather (1864) 2 Hem & M 254 17
Eaton *v* Bell (1821) 5 B&ALD 34 30
Ebrahimi *v* Westbourne Galleries Ltd [1973] Ac 360 18, 33, 34
Eden *v* Risdales Railway Lamp & Lighting Co Ltd (1889) 23 QBD 368 223
Edwards *v* Halliwell [1950] 2 All ER 1064 93–5
El Sobrero, *Re* [1958] Ch 900 94
Ellis *v* BP Northern Ireland Ltd & BP Tyne Tanker Co Ltd (1987) FT Law Rep, 13 January 121
Ellis & Co's Trustee *v* Dixon-Johnson [1924] 1 Ch 342, *affirmed* [1924] 2 Ch 451 262
Equitable Trust Co of New York *v* Dawson Partners (1926) 27 Lloyd's Rep 49 175
Ernest *v* Nicholls (1857) 6 HL Cas 401 107
Eros (Films) Ltd, *Re* [1963] 1 All ER 383 265
Estmanco (Kilner House) Ltd *v* GLC [1982] 1 WLR 2 17, 19, 94, 95, 129
Evans *v* Rival Granite Quarries Ltd [1910] 2 KB 979 3
Examite Ltd *v* Whittaker [1972] IRLR 312 228

Fair *v* MacIver (1812) 16 East 130 265
Fenton, *Re* [1931] 1 Ch 85 263, 265
Fenton (No 2), *Re* [1932] 1 Ch 178 263
Fitzgeorge, *Re* [1905] 1 KB 462 262
Floor *v* Davis [1978] Ch 295 135–6
Foley *v* Hill (1848) 2 HL Cas 28 28, 29, 266
Forslind *v* Bechely Crundall (1922) SC 173 234
Forth Estuary Engineering *v* Lister [1986] IRLR 50 227
Foss *v* Harbottle (1843) 2 Hare 461 16, 19, 92–5, 128–9
Fothergill, *Re, ex p* Turquand (1876) 3 Ch D 445 264
Freeman & Lockyer *v* Buckhurst Park Properties (Mangal) Ltd [1964] 2 WLR 615 236
Freevale Ltd *v* Metrostore Holdings Ltd [1984] BCLC 72 229
French's Wine Bar Ltd, *Re* (1987) 3 BCC 173 228
Furniss *v* Dawson [1984] AC 474 86, 135–6

Gardiner *v* LB of Merton [1980] IRLR 472 79
Geers Gross plc, *Re* (1987) 3 BCC 128 123, 184, 220
General Motors Acceptance Corp (UK) Ltd *v* IRC [1985] STC 408 230
Gibson *v* Barton (1875) 44 LJMC 86 244
Gibson *v* Hudson's Bay Co (1727) 7 Vin Abr 125 269
Gilgate Holdings Ltd's Case (1981) 2 Co Law 129 245
Gold Coast Selection Trust Ltd *v* Humphrey [1984] AC 459 66
Goodfellow *v* Nelson Line [1912] 2 Ch 234 17
Gorwyn Holdings Ltd, *Re* (1985) 1 BCC 99 272, 273
Gouriet *v* Union of Post Office Workers [1978] AC 345 167
Grainger & Son *v* Gough [1986] AC 325 156
Gray *v* Seckham (1872) LR 7 CH App 680 263
Greater Britain Insurance Corp Ltd *v* Bowring & Co (Insurance) Ltd (1925) 22 Lloyd's Rep 538 268
Greenhalgh *v* Arderne Cinemas Ltd [1951] Ch 268 18, 26
Greenwell *v* Porter [1902] 1 Ch 530 17
Greenwood *v* Smidth (FL) & Co, *see* Smith (FL) & Co *v* Greenwood 17
Griffin Hotel Co Ltd, *Re* [1941] Ch 129 30, 77
Guinness plc *v* Saunders (1987) 3 BCC 271 218–19

Hafton Properties Ltd *v* McHugh (1987) 84 LS Gaz 342 231
Hair Colour Consultants *v* Mena [1984] IRLR 386 79
Halesowen Presswork & Assemblier Ltd *v* National Westminster Bank Ltd [1970] 3 All ER 473 266, 268
Hallet's Estate, *Re* (1880) 13 Ch D 696 29
Halt Garage, *Re* [1982] 3 All ER 1016 271
Handley Page Ltd *v* Customs & Excise Commissioners [1970] 2 Lloyd's Rep 459 265
Hardy *v* Fothergill (1888) 13 App Cas 351 262
Hart, *Re, ex p* Caldicott (1884) 25 ChD 716 268
Hastings & Folkestone Glassworks Ltd *v* Kalson [1948] 2 All ER 1013 244
Haughton *v* Olau Line (UK) Ltd [1986] ICR 357 80
Hawkins, *Re*, unreported 264, 265
Hawkins *v* Whitten (1829) 10 B&C 217 265
Heald *v* O'Connor [1971] 1 WLR 497 100
Hendy Lennox Ltd *v* Puttick (Grahame) Ltd [1984] 1 WLR 485 280
Heyting *v* Dupont [1964] 1 WLR 843 95
Higgs & Hill Buildings *v* University of London (1983) 24 BLR 139 211
Hodgson *v* NALGO [1972] 1 All ER 15 95
Hogg *v* Cramphorn Ltd [1967] Ch 254 17, 131, 132
Hollister *v* National Farmers' Union [1978] ICR 712 180
Holroyd *v* Marshall (1862) 10 HLC 191 6
Holt *v* IRC [1953] 2 All ER 1499 66
Horne & Hellard, *Re* (1885) 29 ChD 736 76
Houghton, *Re, ex p* Taylor (1857) 26 LJ Bank 58 264
Houghton & Co *v* Nothard, Lowe & Wills [1928] AC1 108
House of Fraser plc *v* ACGE Investments Ltd (1987) *The Times*, 8 April 178
House Property of Investment Ltd, *Re* [1953] 2 All ER 1525 264
Howard *v* Patent Ivory Manufacturing Co (1888) ChD 156 95
Hughes *v* Pump House Hotel Co Ltd [1902] 2 KB 190 266
Hutchenson *v* Eaton (1884) 23 QBD 861 30
Hutt *v* Shaw (1887) 3 TLR 354 269

IRC *v* Bowater Property Development Ltd [1985] STC 135–6
IRC *v* Burmah Oil Co Ltd (1982) 54 TC 200 135
IRC *v* Heaver Ltd [1949] 2 All ER 367 243
IRC *v* Mobil North Sea Ltd [1986] STC 719 86
IRC *v* Parker [1966] AC 141 282
Illingsworth *v* Houldsworth [1904] AC 355 3, 6, 8, 10
Inquiry under the Company Securities (Insider Dealing) Act 1985, *Re* (1987) *The Independent*, 1 April, 7 May 162
International Factors Ltd *v* Rodriguez [1979] QB 351 232
International Sales & Agencies Ltd *v* Marcus [1982] 3 All ER 551 105
Investors in Industry Commercial Properties Ltd *v* South Bedfordshire DC [1986] 1 All ER 787 83
Iran Shipping Lines *v* Denby [1987] 1 Lloyd's Rep 367 220, 221
Italmare Shipping *v* Ocean Tanker; The Rio Sun [1981] 2 Lloyd's Rep 489 210

James, *Ex p*, *Re* Condon (1847) LR 9 Ch App 609 281
Jeffrey's Policy, *Re* (1872) 20 WR 857 268
Jones *v* Lipman [1962] 1 WLR 832 125
Jones *v* Mossop (1844) 3 Hare 568 263, 267
Junior Books Ltd *v* Veitchi Co Ltd [1982] 3 All ER 201 82, 83

Kayford (in Liq) Ltd, *Re* [1975] 1 WLR 279 280
Kelner *v* Baxter (1867) LR 2 CP 174 94
Kenmir Ltd *v* Frizzel [1968] ITR 159 227
Kenyon Swansea Ltd, *Re* (1987) 3 BCC 259 273
King *v* Registrar of Companies [1912] KB 23 94
Koster *v* Eason (1813) 2 M&S 112 263
Kreditbank Cassels *v* Schenkers [1926] 2 KB 450 236

Lackington *v* Combes (1839) 6 Bing NC 71 265
Laker Airways Ltd *v* Department of Trade [1977] QB 643 168
Landes *v* Marcus (1909) 25 TLR 478 30
Law *v* National Greyhound Racing Club Ltd [1983] 1 WLR 1302 37
Leadbitter *v* Farrow (1816) 5 M&S 345 30
Lee *v* Bullen (1858) 27 LJ QB 161 263
Levy (Holdings) Ltd, *Re* [1964] Ch 19 229
Lewis Merthyr Consolidated Collieries Ltd, *Re* [1929] 1 Ch 498 30, 77
Lister *v* Stubbs (1890) 45 ChD 1 220–3
Lloyd *v* Smith (Grace) & Co [1912] AC 716 236
Lloyd (FH) Holdings plc, *Re* 1985 PCC 268 123, 220
London & Mercantile Discount Co, *Re* (1865) LR 1 Eq 277 20
London, Bombay & Mediterranean Bank, *Re,* ex p Carna (1874) LR 9 Ch 686 264
London Foundries Association Ltd *v* Clarke (1888) 57 LJ QB 290 234
London School of Electronics Ltd, *Re* [1985] 3 WLR 474 71
Lonrho plc, *Re* (1987) 3 BCC 265 219–20
Lord Advocate *v* Babcock & Wilson (Operations) Ltd [1972] 1 WLR 488 81
Lowndes *v* Specialist Heavy Engineering Ltd [1977] ICR 1 180
Lundie Bros Ltd, *Re* [1965] 1 WLR 1051 273
Lympne Investments Ltd, *Re* [1976] 1 WLR 799 199
Lysland, The [1973] QB 843 206, 207

Mace Builders (Glasgow) Ltd *v* Lunn [1987] BCLC 55 179
Mackay, *Ex p* (1873) LR 8 Ch 643 268
MacKinnon *v* Armstrong (1877) 2 App Case 531 265
Maclaine & Co *v* Eccott [1926] AC 424 156
McMahon, *Re* [1900] 1 Ch 173 262
Magnavoix Electronics Co Ltd *v* Hall [1986] STC 561 86
Mail Newspapers plc *v* Express Newspapers plc [1987] FSR 90 229
Manila Railways Case [1897] AC 81 61
Manley & Sons Ltd *v* Berkett [1912] 2 KB 329 268
Mannesmann Tube Co Ltd, *Re* [1901] 2 Ch 93 64
Mareva Compania Maviera SA *v* International Bulk Carriers SA [1975] 2 Ll Rep 509 220
Margart Pty Ltd, *Re* [1985] BCLC 314 229
Marine Contractors *v* Shell Petroleum Development [1984] 2 Lloyd's Rep 77 211
Marshall *v* Southampton & South West Hampshire Area Health Authority Teaching [1986] 2 WLR 780 81
Mathieson's Trustee *v* Burrop, Mattieson & Co [1927] 1 Ch 562 265
Maxwell *v* Pressdown Ltd [1987] 1 WLR 298 163
Melon *v* Powe (Hector) Ltd [1981] 1 All ER 313 227, 228
Metropolitan Bank *v* Heiron (1880) 5 ExD 319 221
Michael's Travel Ltd *v* Giraud, EAT 345/85 227
Midland Bank plc *v* Perry (1987) *The Times,* 28 May 218
Moore *v* Jervis (1845) 2 Coll 60 268
Moran *v* Lloyds [1983] 2 All ER 200 211
More, *ex p* [1931] 2 KB 1131 94
Morzetti *v* Williams (1830) 1 B&Ad 415 217
Moseley Green Coal & Coke Co Ltd, *Re,* Barrett's Case (no 2) (1864) 4 De GJ&S 954 263, 265
Motivex Ltd *v* Bulfield (1986) 2 BCC 99, 403 31
Multi Guarantee Co Ltd, *Re* [1987] BCLC 257 62, 280, 281
Multinational Gas Co *v* Multinational Gas & Petrochemical Services Ltd [1983] Ch 258 126
Murray McKinnan *v* Forno [1983] IRLR 7 182

Naoroji *v* Chartered Bank of India (1868) LR 3 CP 444 263
National Bank of Wales Ltd, *Re* [1899] 2 Ch 629 268
National Benefit Assurance Co Ltd, *Re* [1924] 2 Ch 339 262, 269
National Trustee Co of Australia Ltd *v* General Finance Co of Australasia Ltd [1905] AC 373 105
National Westminster Bank *v* Halesowen [1972] 1 All ER 641 266
National Westminster Bank *v* Young (Arthur) [1985] 2 All ER 817 207
Nelson *v* London Assurance Co (1825) 2 Sim & St 292 269
Northern Counties of England Fire Insurance Co, *Re* (1880) 17 ChD 337 262
Northern Counties Securities Ltd *v* Jackson & Steeple Ltd [1974] 1 WLR 1133 17, 101, 102
North-West Transportation Co Ltd *v* Beatty (1887) 12 App Cas 589 17, 18, 19, 21

O'Reilly *v* Mackman [1983] 2 AC 237 73, 74
Oriental Commercial Bank, *Re* (1871) LR 7 Ch App 99 262

Palmer *v* Day & Sons [1895] 2 QB 618 263
Panama, New Zealand & Australia Royal Mail Co, *Re* (1870) 5 Ch App 318 3
Panorama Development *v* Fidelis Furnishing Fabrics [1971] 2 QB 711 94
Parker *v* Beasley (1814) 2 M&S 423 263
Parker *v* Marchant (1843) 1 Ph 356 29
Parkes Garage (Swadlincote) Ltd, *Re* [1929] 1 Ch 139 179
Patches Ltd, *Re* [1987] BCLC 467 273, 274
Pavlides *v* Jensen [1956] Ch 565 95
Peabody Donation Fund (Governors) *v* Parkinson (Sir Lindsay) & Co Ltd [1984] 3 All ER 529 82
Pender *v* Lushington (1897) 6 Ch D 70 16
Phillips *v* Manufacturers' Securities Ltd (1917) 116 LT 290 17
Phoenix Shipping *v* Apex Shipping; The Apex [1982] 1 Ll Rep 476 211
Polkey *v* Walker (Edmund) (Holdings) Ltd [1987] IRLR 13 179–82
Postage & Denby (Agencies) Ltd, *Re* (1986) 2 BCC 99, 352 33, 34
Precision Dippings Ltd *v* Precision Dippings Marketing Ltd [1985] 3 WLR 812 217
Premier Motors Ltd *v* Total Oil [1983] IRLR 470 227
Pritchett & Dyjasek *v* McIntyre Ltd [1987] IRLR 18 179, 181–2
Prudential Assurance Co Ltd *v* Chatterley-Whitfield Collieries Co Ltd [1949] AC 512 122, 123
Prudential Assurance Co Ltd *v* Newman Industries Ltd (No 2) [1982] 1 Ch 204 92–5, 129, 220
Puddephatt *v* Leith [1916] 1 Ch 200 17

R *v* A-G, *ex p* ICI plc [1986] STI 116 168
R *v* Austen (1985) 1 BCC 99, 528 244, 245
R *v* BBC, *ex p* Lavelle [1983] 1 WLR 23 171
R *v* Best (1987) *The Times,* 6 October 286
R *v* Bradley [1961] 1 All ER 669 246
R *v* Caldwell [1982] AC 341 110
R *v* Campbell [1984] BCLC 83 245, 246
R *v* Committee of Lloyd's, *ex p* Posgate (1983) *The Times,* 12 January 37
R *v* Cooke (1986) 83 Cr App R 339 111
R *v* Corbin (1985) 6 Co Law 183 244, 245
R *v* Criminal Injuries Compensation Board, *ex p* Lane [1967] 2 QB 864 117, 171
R *v* De Berenger (1814) 3 M&S 67 155
R *v* East Berkshire Health Authority, *ex p* Walsh [1985] QB 152 37
R *v* General Medical Council, *ex p* Gee [1986] 1 WLR 226; (1986) *The Times,* 22 May 37
R *v* HM Treasury, *ex p* Daily Mail & General Trust plc [1987] STC 157 136
R *v* Hillingdon LBC, *ex p* Pulhoffer [1986] AC 484 172
R *v* Home Office, *ex p* Khan [1984] 1 WLR 1337 37
R *v* IBA, *ex p* Rank Organization plc (1986) *The Times,* 14 March 34–5, 37, 73
R *v* IBA, *ex p* Whitehouse (1985) *The Times,* 4 April 37
R *v* King [1983] 1 All ER 929 246
R *v* Lawrence [1982] AC 510 110
R *v* Monopolies & Mergers Commission and the Secretary for State for Trade and Industry, *ex p* Argyll Group plc [1986] 1 WLR 763 36, 37, 119, 170
R *v* Monopolies & Mergers Commission, *ex p* Elders 1XL Ltd (1986) FT Law Reps, 2 May 35, 37
R *v* National Coal Board, *ex p* NUM (1986) *The Times,* 8 March 37, 73
R *v* Panel on Takeovers & Mergers, *ex p* Datafin plc & Prudential-Bache Securities Inc [1987] 2 WLR 669 37, 73, 115, 117–20, 131, 166, 170–2, 286
R *v* Register of Companies, *ex p* Central Bank of India [1986] QB 1114 168
R *v* Secretary of State for Social Services, *ex p* Association of

Metropolitan Authorities [1986] 1 All ER 164 37
R *v* Secretary of State for the Environment, *ex p* Nottinghamshire CC [1986] 2 WLR 1 37
R *v* Seymour [1983] 2 AC 493 110
Ramsay (WT) *v* IRC [1982] AC 300 135, 282
Reading *v* A-G [1951] AC 507 221
Redmond *v* Allied Irish Banks (1987) *The Times*, 5 June 217, 218
Reed *v* Nova Securities Ltd [1985] 1 WLR 193 230
Rees, *Re* (1881) 17 ChD 98 264
Regal (Hastings) Ltd *v* Gulliver [1942] 1 All ER 378 32–3
Ridge Securities Ltd *v* IRC [1964] 1 WLR 479 271
Robarts *v* Tucker (1851) 16 QB 560 218
Roberts Petroleum Ltd *v* Kenny Ltd [1983] 2 WLR 305 229
Rogerson *v* Ladbroke (1822) 1 Bing 94 265
Rolled Steel Products *v* British Steel Corp [1985] 3 All ER 1 220, 271
Rolls-Razor Ltd *v* Cox [1967] 1 All ER 397 263, 265
Ross *v* Counters [1979] 3 All ER 580 82
Roxburghe *v* Cox (1881) 17 ChD 520 9
Russel *v* Wakefield Waterworks Co (1875) LR 20 Eq 474 95
Rye *v* Rye [1962] 1 All ER 146 267

St Ives Windings Ltd, *Re* Salomon *v* Salomon & Co [1897] AC 22 124, 125, 126
Saltdean Estate Co Ltd, *Re* [1968] 1 WLR 1844 122, 178
Sass, *Re* [1896] 2 QB 12 263, 264
Schwabach, *Re* (1908) 98 LT 127 234
Scottish Co-operative Wholesale Society *v* Meyer [1959] AC 324 66
Scottish Insurance Corp Ltd *v* Wilsons & Clyde Coal Co Ltd [1949] AC 462 122
Secretary of State for Defence *v* Guardian Newspapers Ltd [1985] AC 339; [1984] Ch 156 163
Secretary of State for Employment & Productivity *v* Hallam (VIC) Ltd [1970] ITR 108 81
Secretary of State for Employment *v* Newbold [1981] IRLR 305 79
Secretary of State for Employment *v* Spence [1986] ICR 181 228
Selangor United Rubber Estates *v* Cradock (No 3) [1968] 1 WLR 1555 100
Shearer Transport Pty Ltd *v* McGrath [1956] WLR 316 100
Shields *v* Coomes (E) (Holdings) Ltd [1978] IRLR 263 81
Siebe Gorman & Co Ltd *v* Barclays Bank Ltd [1979] 2 Lloyd's Rep 142 4–7, 9, 10, 30, 62
Siggs & Chapman (Contractors) Ltd *v* Knight [1984] IRLR 83 182
Sillifant *v* Powell Duffryn Timber Ltd [1983] IRLR 91 180
Smidth (FLT) & Co *v* Greenwood [1922] 1 AC 417 156
Smith *v* Anderson (1880) 15 ChD 247 244
Smith *v* Croft [1986] 1 WLR 581 128, 129, 131
Smith (Howard) Ltd *v* Ampol Petroleum Ltd [1974] AC 821 131
South West Launderettes Ltd *v* Laidler [1986] ICR 455 78, 79, 228
Southard & Co, *Re* [1979] 1 WLR 1198 124, 126
Sovereign Life Assurance Co *v* Dodd [1892] 2 QB 573 262, 269
Sowman *v* Samuel (David) Trust Ltd [1978] 1 WLR 22 229
Space Investments Ltd *v* Canadian Imperial Bank [1986] 1 WLR 1072 28, 266
Stacey *v* Babcock Power Ltd (Construction Division) [1986] IRLR 3 181
Staddon, *Ex p; Re* Wise (1843) 3 MD & D 256 263
Stanford Services Ltd, *Re* (1987) *The Times*, 29 April 248
Stanton (F&E) Ltd, *Re* [1929] 1 Ch 180 64
Starey *v* Barnes (1806) 7 East 435 262
Sutton's Hospital Case (1612) 10 Co Rep 1a, 23a, 30b 106
Swiss Bank Corp *v* Lloyds Bank Ltd [1981] 2 All ER 449 268

TH Knitwear (Wholesale) Ltd, *Re* [1986] STC 572 86
Tailby *v* Official Receiver (1888) 13 App Cas 523 6
Tancred *v* Delagoa Bay Rly Co (1889) 23 QBD 239 266
Taylorplan Catering (Scotland) Ltd *v* McInnally [1982] IRLR 272 181
Tesco Supermarkets Ltd *v* Nattrass [1971] 2 All ER 127 244
Tito *v* Waddell (No 2) [1977] 3 All ER 129 32
Torbell Investments Ltd *v* Williams [1986] STC 397 86
Trave Schiffahrts *v* Ninemia Maritime Corp [1986] 2 WLR 773 208
Trevor *v* Whitworth (1887) 12 App Cas 409 185
Trustee of the Property of PAF Foster & Ors (Bankrupts) *v* Crusts [1986] BCLC 307 82, 83

Union Corp Ltd *v* Charrington (1902) 8 Comm Cas 99 234
United Dominions Trust Ltd *v* Kirkwood [1966] 2 QB 431 231
Unity Joint Stock Mutual Banking Association *v* King (1858) 5 Beav 72 263
Universal Petroleum *v* Handels (1987) *Financial Times*, 20 February 208

Victor Batteries Ltd *v* Currys Ltd [1946] Ch 242 99

Wallersteiner *v* Moir [1974] 3 All ER 217 165
Wallersteiner *v* Moir (No 2) [1975] QB 373 128, 165
Washington Arts Association Ltd *v* Forster [1983] ICR 346 79
Wass (W & J) Ltd *v* Binns [1982] IRLR 283 180
Watts *v* Christie (1849) 11 Beav 546 265
Webb *v* Smith (1885) 30 ChD 192 268
Wellworth Cash & Carry (North Shields) Ltd *v* North Eastern Electricity Board (1986) 2 BCC 99, 265 65
West Midlands Co-operative Society *v* Tipton [1986] IRLR 112 181
Westerton, *Re* [1919] 2 Ch 104 5
Westminster Bank *v* Hilton (1926) 43 TLR 124 266
Whitaker *v* Governor & Company of the Bank of England (1835) 1 CM&R 744 217
White *v* Bristol Aircraft Ltd [1953] Ch 65 124
Whitworth Street Estates Ltd *v* Miller [1970] AC 583 7
Williams *v* Harding (1866) LR 1 HL9 197
Windsor Steam Coal Co Ltd, *Re* [1929] 1 Ch 151 105
Wolmerhausen *v* Gullick [1893] 2 Ch 514 262
Wood *v* Martins Bank [1959] 1 QB 55 28
Woodhouse *v* Brotherhood (Peter) Ltd [1972] ICR 186 228
Woodroffes (Musical Instruments) Ltd, *Re* [1986] Ch 366 375
Woolfson *v* Strathclyde Regional Council (1978) 38 P&CR 521 126

Yagerphone Ltd, *Re* [1935] Ch 392 64
Yate Foundry Ltd *v* Walters [1984] ICR 445 182
Yeovil Glove Co Ltd, *Re* [1965] Ch 148 64
Yerkey *v* Jones (1938) 63 CLR 649 218
Yianni *v* Evans (Edwin) & Sons [1982] QB 438 82
Yokohama Specie Bank Ltd *v* Williams (1915) 6 TC 634 156
Yorkshire Woolcombers Association Ltd, *Re* [1903] 2 Ch 284 4, 6–9, 77

Zambia Steel & Building Supplies Ltd *v* Clark (James) & Eaton Ltd [1986] 2 Lloyd's Rep 225 211
Zarb *v* British & Brazilian Produce Co (Sales) Ltd [1978] IRLR 78 79

Australia

Adstream Building Industries Pty Ltd *v* Queensland Cement & Line Co Ltd (No 3) (1984) 2 ACLC 677 91
Alford *v* CCA (1984) 2 ACLC 820 250
Altim Pty Ltd, *Re* [1968] 2 NSWLR 762 247
August Investments Pty Ltd *v* Poseidon & Samin Ltd [1971] 2 SASR 71 88–9
Bonds & Securities (Trading) Pty Ltd *v* Glomex Mines NL (1971) 1 NSWLR 879 233
Broad *v* Stamp Duties Commissioner (1980) 2 NSWLR 40 268
CAC *v* Orlit Holdings Ltd (1983) I ACLC 1038 90
Chew *v* Hamilton (1985) 3 ACLC 205 246
Chew *v* NCSC (No 2) (1985) 3 ACLC 212 247
Consul Development Pty Ltd *v* DPC Estates Pty Ltd (1975) 132 CLR 373 223
Coopers Brookes (Wollongong) Pty Ltd *v* Federal Commissioner of Taxation (1981) 147 CLR 297 59
Crabtree Vickers Pty Ltd *v* Australian Direct Mail Advertising & Addressing Co Ltd (1976) 50 ALJR 203 236
Day & Dent Constructions Ltd *v* Northern Ausralian Pty Ltd (1982) 56 ALJR 347 263
Dey Pty Ltd *v* Dey [1966] VR 464 100
Diesels & Components Pty Ltd, *Re* (1985) ACLC 55 232
Dressy Frocks Pty Ltd *v* Bock (1951) 51 SR (NSW) 390 100

Ferrari Furniture Co Pty Ltd, *Re* [1972] 2 NSWLR 790 250
Hart *v* Barnes (1983) 7 ACLR 310 62
Kingsgate Rare Metals Pty Ltd, *Re* 1940 QWN 42 247
Leomond Properties Pty Ltd, *Re* (1983) 1 ACLC 1370 249
Macquarie Investments Pty Ltd, *Re* (1974–76) 1 ACLR 40 249
Maelor Jones Pty Ltd, *Re* (1974–76) 1 ACLR 4 247
Marsden, *Re* (1980–81) 5 ACLR 694 246, 249
Masureik & Allan Pty Ltd, *Re* (1982) 6 ACLR 39 64
Meyer Douglas Pty Ltd, *Re* [1965] VR 638 244
Minimix Industries Ltd, *Re* (1982) 1 ACLC 511 247, 249
O'Brien Glass Industries Ltd *v* Cool & Sons Pty Ltd (1983) ATPR Para 40–376 137
Osborne *v* Australian Mutual Growth Fund (1972) 1 NSWLR 100 234
Peters' American Delicacy Co Ltd *v* Heath (1939) 61 CLR 457 17
Poyser *v* Commissioner for Corporate Affairs (1985) 3 ACLC 584 245
Quality Camera Co Pty Ltd, *Re* [1965] NSWLR 1330 64
R *v* Federal Court, *ex p* Western Australian National Football League (Inc) (1979) 143 CLR 190 51
Randall *v* Conroy [1897] 8 QLJ 89 235
Sankey *v* Whitham (1978) 142 CLR 1 92
Smith (Howard) Industries Pty Ltd, *Re* (1977) 27 FLR 385 139
Stein *v* Saywell (1969) 121 CLR 529 61
Timberlands Ltd (in liq) & Equitable Forestry Services Pty Ltd (in liq), *Re;* Viner *v* Harvey [1979] CLC Paras 40–564 235
Wallace, *Re* (1983–84) 8 ACLR 311 247

Canada
Campbell *v* Imperial Bank (1924) 55 DLR 318 266
Caroma Enterprises Ltd, *Re* (1980) 108 DLR 412 61
Deacon (RH) & Co Ltd *v* Varga 30 DLR (3d) 653 159
Dickens, *Re* (1979) CCL 2261 5
Evans, Coleman & Evans Ltd *v* Nelson (RA) Construction Ltd (1958) 16 DLR (2d) 123 5, 7
Hatzic Prairie Co, *Re* [1914] 15 DLR 772 235
Peat Marwick Ltd *v* Consumer Gas Co (1981) 113 DLR (3d) 754 65
R *v* Churchill Consolidated Copper Corp (1979) 90 DLR (3d) 357 61
Robin Hood Flour Mills *v* Fuller Bakeries Ltd (1963) 40 DLR (2d) 207 5
Royal Bank of Canada *v* Madill (1980) 108 DLR (3d) 567; (1981) 120 DLR (3d) 17 5
Untermyer *v* AGBC [1929] 1 DLR 315 67

Eire
Gale *v* First National BS, unreported 5
Keenan Bros Ltd, *Re* [1986] BCLC 242 3, 6–10, 30, 62
Kelly *v* McMahon Ltd [1980] IR 347 7, 63
Northern Bank Ltd *v* Hegarty (1901) 1 NIJR 13 5
Northern Banking Co Ltd *v* Devlin (1924) 1 IR 90 5
Welch *v* Bowmaker (Ireland) Ltd (1980) IR 251 7

European Court of Justice
Arie Botze *v* Rotterdamscher Droogdok Maatskchappij BV [1986] 2 CMLR 50 227
Colson, von *v* Land Nordrhein-Westfalen (Case 14/83) [1984] ECR 1891 81
Commission *v* Denmark (Case 252/83) [1987] 2 CMLR 169 213
Commission *v* France (Case 220/83) [1987] 2 CMLR 113 213
Commission *v* Germany (Case 205/84) [1987] 2 CMLR 69 213
Commission *v* Ireland (Case 206/84) [1987] 2 CMLR 150 213
Firma Friedrich Haaga GmbH *v* Rechtspfleger (Case 32/74) [1974] ECR 1201 12, 15
Patrick (Case 11/77) [1977] ECR 1199 213
Reyners *v* Belgian State (Case 2/74) [1974] ECR 631 212
Spijkers (JMA) *v* Gebroeders Benedik Abbattoir CV [1986] 2 CMLR 296 227
Thieffry (Case 71/76) [1977] ECR 765 213
Van Binsbergen (Case 33/74) [1974] ECR 1299 212
Van Luipen (Case 29/82) [1983] ECR 151 214
Van Wesemael (Case 110–111/78) [1979] ECR 35 212
Verband der Sachversicherer *v* Commission (Case 45/87) (1987) judgment del'd 27 Jan 216
Webb (Case 279/80) [1981] ECR 3305 214

France
Canelles & Hirsch *v* Compagnie française des tramways du Douai et la Bienhoa, Dalloz 1933 p258 21

Hong Kong
Goepfert Case, Inland Revenue – Appeal 5/86 187

Italy
Banco di Roma *v* Srl Immobilaire Alpina Cass 20 June 1958 n2148 Ghiur italiano 1959, I, 204 & 1960, I, 585 24

New Zealand
Manurewa Transport Ltd, *Re* [1971] NZLR 909 31, 61, 76
Skelton *v* South Auckland Blue Metals Ltd [1969] NZLR 955 100

Nigeria
Abubakri *v* Smith (1973) 6 SC 31 94, 95
Caligdra *v* Sartori (Giovanni) & Co [1961] 1 All NLR 534 94
Edokpolo & Co *v* Sem-Edo Wire Industries Ltd (1984) 7 SC 119 92–5
Erda Establishment *v* Emmanuel (1978) 4 FRCR 8 94
Ezeugon *v* Ohanyere (1978) 2 LRN 20 94
Firgos Ltd *v* Zetters Pools Ltd (1965) NLR 113 95
Kehinde *v* Registrar of Companies (1979) 3 LRN 213 94
Lasisi *v* Registrar of Companies (1976) 7SC 73 94
Migliore *v* Metal Construction (1978) 4 FRCR 232 94
Okeowo *v* Migliore (1979) 11 SC 138 94
Pan Asian African Ltd *v* National Insurance Corp Ltd (1982) 9 SC 1 94
Tika-Tore Press *v* Abina (1973) Nig Comm LR 24 94, 95
Trenco Ltd *v* African Real Estate & Investment Co (1978) 1 LRN 146 94, 95

Scotland
Anderson Brown & Co Ltd, Petitioners 1965 SC 81 124
Armour *v* Thyssen Edelstahlwerke AG 1986 SLT (OH) 452 45
Deutz Engines Ltd *v* Terex Ltd 1984 SLT 273 45, 139
Fraser Bros Ltd, Petitioners 1963 SC 139 122, 123
Hammer & Sohne *v* HWT Realisations Ltd 1985 SLT 21 44, 45, 139
House of Fraser plc, Petitioner (1987) 3 BCC 33 122, 123
Meyer *v* Scottish Textile & Manufacturing Co Ltd, Scottish Co-operative Wholesale Society Ltd 1954 SC 381 18
Wilson & Clyde Coal Co Ltd *v* Scottish Insurancer Corp 1949 SC 90 123
Zahnrad Fabrik Passau GmbH *v* Terex Ltd 1986 SLT (OH) 84 44, 45

Singapore
Quek *v* A–G [1985] 2 MLJ 270 246, 249

South Africa
Albert *v* Papenfus 1964 (2) SA 713 100

USA
Ahlenius *v* Bunn & Humphreys Inc 385 Ill 155, 192 NE 824 (1934) 69
American General Corp *v* Camp 171 Md 629, 190 Atl 225 (1937) 69
Anheuser-Busch *v* FCT 289 F 2d 835 139
CTS Corp *v* Dynamics Corp of America 55 USLW 4478 (1987) 177, 237
Chicago Corp *v* Munds 20 Del Ch 142, 172 A 452 69
Edgar *v* MITE Corp 457 US 624 (1982) 177, 237–8
FTC *v* Morton Salt Co 334 US 37 138
Fulton, Matter of 257 NY 487, 178 NE 766 69
Gallois *v* West End Chem Co 185 Cal App 2d 765 69
General Realty & Util Corp, *Re* 29 Del Ch 840, A 2d 5 (1947) 67, 70
Greene (David J) & Co Del Ch 281 A 30 (1971) 69
Heller *v* Munsingwear Inc 33 Del Ch 593, 998 A 2d 774 69
Ithica Trust Co [1929] 279 US 151 67
Jones *v* Healy 55 NYS 2d 349 69
National Acceptance Co of America *v* Virginia Capital Bank 1980, 498 F Supp 1078 266
Plessey Co plc *v* General Electric Co plc CCH Fed Sec Law Reps,

Para 92, 486 46
Queen in Right of British Columbia *v* Consolidated Churchill Copper Corp Ltd 1978 5 WWR 652 76
Roberts *v* Bagwell [1957] SCR 28 67
Sporborg *v* City Specialty Stores Inc 35 Del Ch 560, 123 A 2d 121 (1956) 69
Sterling *v* Mayflower Hotel Corp 33 Del Ch 293, A 2d 107 (1985) 67
Tudor City Fifth Unit Inc, *Re* 17 App Div 2d 794; 232 NYS 2d 758, *affirmed* 13 NYS 2d 812 67, 69
Unocal *v* Pickens CCH Fed Sec Law Reps, Para 92, 296 46
Unocal Corp *v* Mesa Petroleum Co, Civil Citation No 7977, unreported opinion; CCH Fed Sec Law Reps, Paras 92, 046, 92, 077 46, 47
Warren *v* Baltimore Transit 220 Md 478, 154 A 2d (1959) 67
Weinberger *v* UOP Inc 457 A 2d 701 (1983) 67, 70
Wick *v* Youngstown Sheet & Tube Co, unreported 69

ANALYSIS ARTICLES

Arbitration Act 1979 – Genesis and Operation 206–12
Common Market in Insurance – Do we Have One? 212–16
Conduct of Investment Business 154–61
Control of Business Crimes, The 110–15
Determining the Value of Company Shares 66–72
Financial Assistance by a Company for the Purchase of its Shares 99–103
Financial Services Act and the Detection of Insider Trading, The 162–6
Fixed Charges on Future Book Debts 3–11
Immobilization of the Security Certificate – the United States Experience 251–61
Insolvency Act 1986 (1) 61–5
Insolvent Partnerships Order 1986, The 195–205
Judicial Review in the Commercial Arena 167–73
Making and Resisting Disqualification Orders 243–50
Marketing of Investments, The – The New Regime 143–53
New Australian Co-operative Company and Securities Scheme, The 51–61
Public Law and Self-Regulation 115–20
Reform of the Ultra Vires Rule 103–9
Reform of the Ultra Vires Rule – A Personal View 11–16
Three Problems of Set-Off – Contingencies, Build-Ups and Charge-Backs 262–9
Voting Rights – A Comparative Review 16–27